

### **Remarks and Arguments**

Claims 22-37 are now pending in the application. Support is found in Fig. 3 and in other parts of the specification.

The Examiner rejected claims 1, 9, 10 and 12 under 35 U.S.C. §102(b) based on the teachings of U.S. 5,449,373 (Pinchasik et al.). Claims 2, 19, 20, and 21 are rejected under 35 U.S. C. §103 as being unpatentable over Pinchasik et al. in view of U.S. 5,824,059 (Wijay).

It is respectfully submitted that new claims 22-37 are patentable, and allowance is respectfully requested. In particular, it is believed that neither Pinchasik et al. nor Wijay teach a stent having “at least some of the apex portions of adjacent circumferential support structures being configured to longitudinally extend past each other when in the un-deployed configuration . . . [and] a plurality of circumferential connecting struts interconnecting . . . at least some of the adjacent circumferential support structures . . . extending between the apex portions that extend past each other”. Applicants submit that claim 22, and all claims that depend therefrom, are novel and nonobvious for at least this reason.

### **RECONSIDERATION**

It is believed that all claims of the present application are now in condition for allowance.

Reconsideration of this application is respectfully requested. If the Examiner believes that a teleconference would expedite prosecution of the present application the Examiner is invited to call the Applicant’s undersigned attorney at the Examiner’s earliest convenience.

Any amendments or cancellation or submissions with respect to the claims herein is made without prejudice and is not an admission that said canceled or amended or otherwise affected subject matter is not patentable. Applicant reserves the right to pursue canceled or amended subject matter in one or more continuation, divisional or continuation-in-part applications.

To the extent that Applicant has not addressed one or more assertions of the Examiner because the foregoing response is sufficient, this is not an admission by Applicant as to the accuracy of such assertions.

Please grant any extensions of time required to enter this response and charge any fees in addition to fees submitted herewith that may be required to enter/allow this response and any accompanying papers to our deposit account 02-3038 and credit any overpayments thereto.

Respectfully submitted,

/Inna Landsman/ Date: 2007-07-17

Inna Landsman, Esq. Reg. No. 44,337  
RISSMAN JOBSE HENDRICKS & OLIVERIO, LLP  
Customer Number 21127  
Tel: (617) 367-4600  
Fax: (617) 367-4656